

REMARKS

The Office Action of March 29, 2006 has been carefully considered. Reconsideration of this application, as amended, is respectfully requested.

The Specification has been amended to address the grammatical informalities noted and objected to by the Examiner.

Claims 1 and 10 have been amended to add the limitation of a feeder platform. Support for the amendment is found in the various references to feeder platform 190 in the Specification and as depicted, for example, in FIGS. 1 and 2. No new matter has been added by the amendments to the claims or specification.

Restriction Requirement Traversed

Turning to the Office Action, the Examiner set forth a restriction requirement, indicating that claims to the apparatus (1-18) and method for exchanging the apparatus (19-20) were materially distinct from one another. Applicants provisionally elected claims 1-18 (Group I) with traverse. Applicants, hereby affirm election of claims 1-18 (Group I), although having reviewed the Examiner's basis for the restriction, respectfully traverse the requirement for restriction and ask that subsequent examination include claims 19 and 20 as well.

As the basis for the restriction the Examiner states that the apparatus as claimed can be practiced by another and materially different method such as a process, which uses rollers on the component feeding system. Applicants acknowledge that some of the apparatus claims specifically recite rollers in association with the claimed apparatus, yet some apparatus claims do not specifically recite rollers. Although method claims 19 and 20 do not specifically recite rollers, several aspects of the apparatus of claims 1-18 are characterized in the method claims, for example the component feeder, safety stop, latching mechanism and docking channel. Applicants respectfully contend that the Examiner has not demonstrated that the apparatus can be used to practice another and materially different process. Nor does the Examiner's reasoning, that the apparatus can be practiced by a process that uses rollers, offer any basis upon which the restriction requirement can be justified. Furthermore, while the Examiner has alleged that the

claims of Groups I and II would require different fields of search, the Examiner has failed to provide evidence of thereof, and has not specifically set forth different classifications of fields of search to support the conclusion. Accordingly, the Examiner's basis for the restriction appears to be based solely upon conclusory statements that are unsupported by any evidence.

Absent the requisite showing that the claimed process can be practiced by another materially different apparatus, or the claimed apparatus can be used for another and materially different process, the Examiner has not met the burden of setting forth a legitimate basis for the restriction. Accordingly, Applicants respectfully traverse the restriction requirement and request its withdrawal, and that non-elected claims 19 and 20 be examined in conjunction with the apparatus claims.

Specification Objections

The Examiner's thorough consideration of the Specification identified two grammatical errors in the Specification. As indicated above, Applicants have amended the respective paragraphs to remove the grammatical errors noted by the Examiner.

Prior Art Rejections – Obviousness

Claims 1-4, 7-12, 14 and 16-18 were rejected under 35 USC §103(a) as being unpatentable over Rachkov et al. (6,681,481) in view of Edwards (3,387,906).

Rachkov is directed to a connector system for connecting an electronic microdevice feeder to an electronic assembly line (col. 1, lines 17-19). Rachkov discloses that the microdevice feeder is attached to an assembly line table 12 for an assembly line 13, in one of a plurality of slots 16. The Examiner alleges that Rachkov discloses a docking channel including a pair of parallel grooves. Applicants understand the Examiner's reference to be directed to the guide rail 42 ("having a train rail cross-section across its width and engages with an inverted Tee cross-section which makes up one of the alignment slots 16 in the assembly line table 12") as the element(s) referred to. Applicants note that Rachkov fails to disclose a feeder platform as recited in amended claims 1 and 10, nor does Rachkov disclose a plurality of rollers affixed to the component system as required by the independent claims. Moreover, Rachkov's

teaching of a guide rail and Tee slot would appear to preclude the use of rollers or any other mechanisms.

Edwards is directed to a roller drawer support, wherein tapered rollers 34 and 36 are used to suspend one end of a drawer from an overhead rail 14. Edwards describes the rollers 34 and 36 as either being in contact with the lower recess surfaces 81 and 82 or with the upper recess surfaces 83 and 84, suggesting that the rollers are free to move depending upon where the center of gravity of the drawer lies.

Applicant question, however, how one would modify the teachings of Rachkov to combine the rollers of Edwards. Not only is Edwards directed to a suspension system located above the drawer, which would not appear to work in the Rachkov system, but Rachkov relies upon the guide rail 42 to restrict vertical and lateral movement of the microfeeder device. (col. 4, lines 1-2). Applicants respectfully submit that not only would the Edwards' suspension roller configuration interfere with the operation of the Rachkov microdevice feeder, but that the two patents clearly teach away from one another – Rachkov relying on a restriction of vertical and lateral movement, whereas Edwards teaches the advantages of just such movement (e.g., col. 4, lines 26-42). Accordingly, Applicants respectfully contend that the patents relied upon for the rejection are not properly combined and that *prima facie* obviousness has not been established.

Considering, *in arguendo*, the combination of Rachkov and Edwards, Applicants respectfully urge that that such a combination fails to disclose the use of a feeder platform as recited in amended independent claims 1 and 10. Nor is there a disclosure in either patent of a docking channel operatively affixed to the feeder platform or where rollers, affixed to the component feeding system, are received by the parallel grooves within the docking channel.

In view of the above-noted improper combination as well as the noted distinctions, Applicants respectfully urge that claims 1 and 10 are not obvious in view of the arguable combination of Rachkov and Edwards. Moreover, claims 2-4, 7-9, 11, 14 and 16-18, dependent therefrom, are also urged to be in condition for allowance.

Wit respect to claim 13, the Examiner has rejected the under 35 USC §103(a) as being unpatentable over Rachkov et al. in view of Edwards and Applicants Admitted Prior Art. The Examiner urges that the plurality of interchangeable devices that may be mounted

in accordance with the claimed invention is obvious in light of Applicants recitation of exemplary devices. On the contrary, as Applicants point out, there are difficulties with adapting and delivering such feeders so that they may be attached to an assembly system. See p. 3, line 25 – p. 4, line 6 of the Specification. The claimed invention addresses the problem of adapting various feeders to an assembly system and provides an efficient and reliable mounting device and method for overcoming such difficulties. Accordingly, Applicants again reiterate, that claim 13 is not obvious and is in condition for allowance.

Allowable Subject Matter

Applicants acknowledged the Examiner's indication that claims 5, 6 and 15, although objected to, would be allowable if rewritten to include the limitations of the base and any intervening claims.

In view of the foregoing remarks and amendments, reconsideration of this application and allowance thereof are earnestly solicited. In the event that additional fees are required as a result of this response, including fees for extensions of time, such fees should be charged to USPTO Deposit Account No. 50-2737 for Basch & Nickerson LLP.

In the event the Examiner considers personal contact advantageous to the timely disposition of this case, the Examiner is hereby authorized to call Applicant's attorney, Duane C. Basch, at Telephone Number (585) 899-3970, Penfield, New York.

Respectfully submitted,



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